

Remarks

Favorable reconsideration of this application is requested in view of the following remarks. For the reasons set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The non-final Office Action dated December 16, 2003, indicated that claims 11-20 have been withdrawn from consideration in connection with a restriction requirement; formal drawings were requested; claims 1-7 and 9-10 are rejected under 35 U.S.C. § 103(a) over *Rom* (U.S. Patent No. 6,307,568) in view of *Dodd* (U.S. Pat. No. 6,321,211); and claim 8 is rejected under 35 U.S.C. § 103(a) over *Rom* in view of *Dodd* and further in view of Official Notice.

While the stated rejections rely only on the *Rom* '568 and *Dodd* '211 references, the Office Action continuously refers at pages 4-6 to Rose. Applicant is confused as to whether the rejections are based upon a third, unidentified reference. The following response is in reply to rejections based upon *Rom* and *Dodd*. If the Examiner is relying upon a third reference as support for the stated rejections, Applicant requests further clarification, identification, and the opportunity to respond thereto in accordance with 35 U.S.C. § 132. As stated, the proposed combination of references fails to support the Section 103(a) rejections.

Applicant respectfully traverses the Section 103(a) rejections because the Office Action fails to present a combination of references that teaches each of the claimed limitations. The Office Action alleges that the '211 reference teaches claimed limitations directed to communicating a merged item to another site. However, the cited rationale, column 3, lines 28-50 and column 9, lines 49-67, fails to correspond to such limitations. At column 3, lines 35-38, the '211 reference teaches that the selected gift is "sent to a gift queue on the gift server node [web site]" and not communicated to another site. While the recipient is notified of the gift, the '211 reference does not teach that the selected gift is sent to the recipient, merely a notification thereof is sent. The column 9 citation is directed to gift certificates and does not discuss a communication of a merged item to another site. The Office Action fails to show a reference that corresponds to the above-discussed claim

limitations. Thus, the Section 103(a) rejections must fail and Applicant accordingly requests that the rejections be withdrawn.

The Office Action also fails to present correspondence in the '568 reference to certain claimed aspects. At page 4, the Office Action erroneously asserts that the '568 reference teaches storing electronic partial-data sets corresponding to different articles at column 3, lines 62-65. A review of this portion of the '568 reference indicates no mention of storing information at a host-site or elsewhere. The '568 reference is silent as to any teaching of electrically closeting partial-data sets as claimed, for example, in claim 1. The '568 discussion at column 6 of optionally selecting or changing garment characteristics does not include any option for storing selected garments. It would appear that once a characteristic is changed, the previous garment is replaced. Without a showing of complete correspondence to each of the claimed limitations, the Section 103(a) rejection cannot stand. Applicant accordingly requests that the rejection be withdrawn.

Moreover, the Office Action erroneously asserts that Figures 2 and 3 of the '568 reference teach the claimed "using the host-site, linking the viewer to the at least one article-provider site and passing images from that site for view by the on-line viewer." The '568 reference makes no mention of linking to or visiting article-provider web sites. No discussion in the '568 reference mentions passing images of articles from the article-provider sites to a host-site. The '568 reference fails to teach at least subject matter directed to electrically closeting at the host site, and using the host-site to link to article-provider sites as claimed. Without complete correspondence to the claimed invention, the Section 103(a) rejection cannot be maintained. Accordingly, Applicant requests that the rejection be withdrawn.

Applicant further traverses the Section 103(a) rejection of claim 8 because the Office Action fails to provide any evidence in support of the "Official Notice" taken on page 6. *See*, MPEP § 2144.03. No evidentiary support has been provided for the assertion that a memory storage device having a maximum limit to accessible storage space is an inherent component of a memory storage device. Claim 8 is directed to a host-site configured to limit virtual storage closet space for an on-line viewer. As discussed above, the '568 reference fails to even teach such closeting functions and thus does not correspond to the limitations of claim 8. Should the rejection be maintained,

- Applicant requests evidence in support of the assertions to which "Official Notice" has been taken.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is encouraged to contact the undersigned at (651) 686-6633.

Respectfully submitted,

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Enclosure: Petition for Extension of Time